

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : George C. Konstantakis
Serial No. : 10/530,635
Filed : October 28, 2005
For : Safety Lock for Lever-Type Door Handles
Group Art No. : 3676
Examiner : Mr. Carlos Lugo
Confirmation No.: 7503

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Dear Examiner Lugo:

In response to the Notice of Allowability mailed May 23, 2008, Applicant submits the following remarks responsive to the Examiner's Statement of Reason for Allowance.

REMARKS

In the Notice of Allowability, the Examiner states that “the prior art of record fails to disclose the child safety lock in combination with the door latch mechanism and the door stationary structure (door frame) as claimed.” The claims as allowed call for a number of elements and define the operating environment of those elements. That is, the claims define a child safety lock that is not shown in the prior art. The claims define the child safety lock via the interaction of elements of the lock with respective door and door latch structures.

The patentability of claims 1-21 lies in each claim as a whole. This is, a single particular element or feature of a claim does not define the claims patentability, but rather, it is the combination of elements and the interconnection therebetween that define the invention. Simply, the claims define a child safety latch that cooperates with doors having lever handles. The claims also define the safety latch via the interaction of its elements with each other and with the operating environment. The claims cannot be considered to be limited in scope based on the brief statement by the Examiner in the Notice of Allowance. Applicant stands by the positions previously set forth in the file history.

Applicant does not acquiesce to the accuracy of the Examiner’s statements in the Reasons for Allowance nor the Examiner’s partial paraphrasing of the claims or what is recited therein. Entry of these remarks is appreciated and Applicant cordially invites the Examiner to respond, should the Examiner disagree.

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